

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

IN RE:) CHAPTER 11
)
TERI G. GALARDI,)
) CASE NO. 22-50035-JPS
Debtor,)
_____)

**NOTICE OF SECOND AND FINAL APPLICATION FOR COMPENSATION OF
SCHULTEN WARD TURNER & WEISS, LLP, AS SPECIAL COUNSEL TO DEBTOR**

PLEASE TAKE NOTICE that Schulten Ward Turner & Weiss, LLP has filed a Second and Final Application For Compensation As Special Counsel to Debtor. The Application requests the Court enter an Order allowing and awarding compensation in the amount of \$485.10.

YOUR RIGHTS MAY BE AFFECTED. You should read these documents carefully and discuss them with your attorney, if you have one in this bankruptcy case. **If you do not have an attorney, you may wish to consult one.** If not served with this notice in accordance with the Bankruptcy Code or the Federal Rules of Bankruptcy Procedure, a copy of the motion may be obtained upon written request to counsel for the Movant (identified below) or at the Clerk's office.

If you do not want the Court to grant the application for compensation or if you want the court to consider your views on the application, then you or your attorney shall file with the court a written objection or response on or before **June 6, 2023**, pursuant to Fed.R.Bankr.P.9006(f). If you received this notice by mail and not electronically, you may add (3) days to the response date stated above. The objection or response should be sent to:

Clerk, U.S. Bankruptcy Court
Middle District of Georgia
P.O. Box 1957
Macon, GA 31202
(478) 752-3506

If an objection or response is filed a hearing on the application shall be held on:

June 21, 2023 at 11:00 a.m.
Courtroom A
United States Bankruptcy Court
433 Cherry Street
Macon, GA 31201

Parties should consult the Court's website (www.gamb.uscourt.gov) concerning whether the hearing will be in-person, telephonic or virtual. Please refer to Administrative Order #145 for more guidance. If you mail your response or objection to the court for filing, you shall send it early enough so the court will receive the objection or response on or before the date stated above. Any response or objection shall also be served on the Debtor.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief.

This notice is sent by the undersigned pursuant to M.D. Ga. LBR 2016-(c)(2).

Respectfully submitted,

McBRYAN, LLC

/s/Louis G. McBryan

Louis G. McBryan, Georgia Bar No. 480993

6849 Peachtree Dunwoody Rd

Building B-3, Suite 100

Atlanta, GA 30328

Telephone (678) 733-9322

lmcbryan@mcbryanlaw.com

Attorney for Debtor

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**SECOND AND FINAL APPLICATION OF SCHULTEN WARD TURNER & WEISS,
LLP, FOR COMPENSATION AS SPECIAL COUNSEL TO THE DEBTOR**

COMES NOW, Schulten Ward Turner & Weiss, LLP (“Schulten Ward”), and files this, its *Second and Final Application for Compensation as Special Counsel to The Debtor* (the “Application”) and in support thereof respectfully shows as follows:

1.

On January 12, 2022 (the “Petition Date”), the Debtor filed a voluntary petition under Chapter 11, Subchapter V of the United States Bankruptcy Code. On March 31, 2022, a Consent Order was entered by the Court allowing the Debtor to Proceed under other applicable provisions of Chapter 11, other than Subchapter V. The Debtor is continuing to manage her affairs as a Debtor-in-Possession under §§ 1107(a) and 1108 of the Bankruptcy Code.

2.

Schulten Ward previously applied for interim compensation on November 13, 2022 [Docket No. 235] for services rendered for the time period of March 1, 2022, through October 31, 2022. The Order Granting the First Interim Application for Chapter 11 Compensation as Special Counsel to the Debtor was entered on December 12, 2022 [Docket No. 267] and awarded interim compensation in the amount of \$2,400.00 and reimbursement of expenses in the amount of \$4.40.

3.

Schulten Ward shows it has expended 1.20 hours in law firm time in the bankruptcy matter for the time period of November 1, 2022 through April 14, 2023 (the “Second Application Period”), in the total amount of \$480.00, and has incurred a total of \$5.10 in out-of-pocket expenses and advances on behalf of the Debtor for which it is entitled to reimbursement.

4.

A detailed description of the services rendered by Schulten Ward on behalf of the Debtor is attached – showing the billing statements for the Application Period. The attached statements show the specific work, the date of the work, and the number of hours expended, are attached as **Exhibit A**.

5.

Schulten Ward asserts that the services rendered were necessary and beneficial to the bankruptcy estate.

6.

Schulten Ward has received no promise of compensation for services rendered or to be rendered on behalf of the Debtor in this case, except as set forth in the Application to Employ filed in this Court.

7.

Schulten Ward respectfully makes the following representations with regard to the standards set forth in Norman v. Housing Authority of the City of Montgomery, 836 F.2d 1292 (11th Circuit. 1988).

(a) Time and Labor Required: Schulten Ward has expended a total of 1.20 law firm hours from November 1, 2022, through April 14, 2023, at the following rates:

<u>Attorney(s)</u>	<u>Hourly Rate</u>
Dean R. Fuchs	\$400.00

- (b) Novelty and Difficulty of Questions Presented: The claims are novel and not generally involved in a Chapter 11 bankruptcy case.
- (c) Skill Requisite to Perform Legal Services Properly: Schulten Ward respectfully represents that it has the skill requisite to perform legal services heretofore rendered in a proper fashion.
- (d) The Preclusion of Other Employment Due to Acceptance of the Case: Schulten Ward respectfully requests that the time expended by Schulten Ward in connection with this case could have been devoted to matters being handled for other clients, but for the time demands placed upon Schulten Ward by Schulten Ward's involvement in this case.
- (e) Customary Fee for the Type of Services Rendered: Schulten Ward shows that all fees requested by Schulten Ward were generated by applying Schulten Ward's normal hourly billing rate to the number of hours actually expended. Schulten Ward respectfully represents that the customary compensation for the attorney services in connection with a bankruptcy case is upon an hourly billing basis.
- (f) Whether Fee is Fixed or Contingent: Schulten Ward's charges are subject to being awarded by this Court under 11 U.S.C. § 330. The Fee is this not truly fixed or contingent but has some characteristics of both.
- (g) Time Limitations Imposed by Client or Other Circumstances: Schulten Ward shows that many of the services rendered have been performed under exacting time limitations imposed by the nature of the case.

- (h) Amount Involved and Results Obtained: Schulten Ward has represented the Debtor as special counsel since June 23, 2022.
- (i) Experience, Reputation and Ability of Attorneys: Schulten Ward respectfully represents that it has had a significant amount of experience within the areas involved in this representation.
- (j) Undesirability of the Case: Schulten Ward respectfully represents that this factor is not normally applicable to a Chapter 11 case.
- (k) Nature and Length of Professional Relationship with the Client: Schulten Ward shows that it has represented the Debtor since June 23, 2022 [Docket No. 117] as special counsel.
- (l) Awards in Similar Cases: Schulten Ward has not acted as special counsel in a bankruptcy case previously.

8.

Schulten Ward was previously awarded interim compensation in the amount of \$2,400.00 and reimbursement of expenses in the amount of \$4.40 for the time period of March 1, 2022, through October 31, 2022. Schulten Ward is requesting that these previously awarded fees be deemed as final compensation.

WHEREFORE, the Schulten Ward Turner & Weiss, LLP, prays that it be allowed Chapter 11 compensation as follows:

- (1) That this Second and Final Application be set for determination on such notice as deemed proper;
- (2) That Schulten Ward Turner & Weiss, LLP, be allowed an award of \$480.00 representing Schulten Ward's fees generated for the Second Application Period;

- (3) That Schulten Ward Turner & Weiss, LLP, be allowed reimbursement of actual out-of-pocket expenses incurred on behalf of the Debtor in the amount of \$5.10 for the Second Application Period;
- (4) That the Debtor be authorized and directed to pay Schulten Ward the \$485.10 requested award on a final basis and that any previous award be made final; and
- (5) That the Court grant such other and further relief as the Court deems just and proper.

Respectfully submitted,

McBRYAN, LLC

/s/Louis G. McBryan

Louis G. McBryan, Georgia Bar No. 480993

6849 Peachtree Dunwoody Rd

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Atlanta, GA 30328

Telephone (678) 733-9322

lmcbryan@mcbryanlaw.com

Attorney for Debtor

Schultz Law Firm, LLC
200 Peachtree Street NW, 10Suite 2700
Atlanta, Georgia 30303
(404) 688-6800
www.swtlaw.com

FEI: 58-1926343

EXHIBIT**A**

exhibitsticker.com

Teri Galardi
2555 Chantilly Dr.
Atlanta GA 30324

Attn: Mike Kap

Page: 1
April 20, 2023Account No: 729-060M
Invoice No. 138789

Teri Galardi Personal Bankruptcy

			Hours	
01/13/2023	DRF	Prepare Supplemental Bkcty Case Status Report; File same; Memo to L. McBryan re: matter status	0.60	240.00
04/06/2023	DRF	Prepare Quarterly Status Report of Related Bkcty	0.60	240.00
		TOTAL FEES	1.20	480.00

FEE SUMMARY

<u>Timekeeper</u>	<u>Hours</u>	<u>Rate</u>	<u>Total</u>
Dean R. Fuchs	1.20	\$400.00	\$480.00

PACER search	5.10
TOTAL EXPENSES through 04/14/2023	5.10
TOTAL CURRENT FEES AND COSTS	485.10
BALANCE DUE	<u>\$485.10</u>

Invoices are due upon receipt. 1.5% interest (18% annually) will be applied to balances aged over 30 days. For credit card payments, go to www.swtlaw.com and select the "make a payment" button. Please reference account number.

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CERTIFICATE OF SERVICE

This is to certify that I have on this day electronically filed the foregoing **SECOND AND FINAL APPLICATION OF SCHULTEN WARD TURNER & WEISS, LLP, FOR COMPENSATION AS SPECIAL COUNSEL TO THE DEBTOR** and **NOTICE** using the Court's CM/ECF system which provided electronic service to the following parties:

The following parties were served by electronic notice:

Evan Owens Durkovic	ecfgamb@aldridgepite.com , edurkovic@ecf.courtdrive.com
Robert G. Fenimore	robert.g.fenimore@usdoj.gov , Ustp.region21.mc.ecf@usdoj.gov
Elizabeth A. Hardy	elizabeth.a.hardy@usdoj.gov , Ustp.region21.mc.ecf@usdoj.gov , elizabeth.hardy.collins@usdoj.gov
Leon Strickland Jones	ljones@joneswalden.com , arich@joneswalden.com , lpitts@joneswalden.com , ewooden@joneswalden.com , cparker@joneswalden.com , jwdistribution@joneswalden.com kdd@fbglaw.com
Roy E. Manoll, III	GA69@ecfcbis.com , rmtrusteenotices@akin-webster.com
Robert M. Matson	tmccclendon@joneswalden.com
Thomas McClendon	Ustp.region21.mc.ecf@usdoj.gov
U.S. Trustee – MAC	wstone@stoneandbaxter.com , mbelflower@stoneandbaxter.com , lford-faherty@stoneandbaxter.com , mcathey@stoneandbaxter.com , dbury@stoneandbaxter.com
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Christina T. Lanier	Christina.T.Lanier@usdoj.gov

Creditors Committee:

Shadana Deleston c/o Mutepe Akemon, Esq., as Proxy Holder
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Addie Brooks c/o Ainsworth Dudley, Esq., as Proxy Holder
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This 16th day of May 2023.

Respectfully submitted,

McBRYAN, LLC

/s/Louis G. McBryan

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Attorney for Debtor